

Batka, Allan

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From: Batka, Allan  
Sent: Friday, December 04, 2015 3:51 PM  
To: 'Theodore Pagano, P.E., P.G.'  
Subject: RE: MPO Trust Agreement  
Attachments: 40 cfr 144.70.pdf

Ted,

Attached is 144.70. I did a spot check on the Trust Agreement submitted w/ the original permit applications. I found discrepancies in "Section 3. Establishment of Fund" and "Section 4. Payment for Plugging and Abandonment". After finding these discrepancies, I notified you w/ the intention that you would critically review all the language of the Trust Agreement and resubmit to me w/ all corrections, at which time I would perform a complete review. Since you cannot find any discrepancies, I will go through all the language of the Trust Agreement and send you my complete review.

Allan Batka

From: Theodore Pagano, P.E., P.G. [mailto:tpagano@mipotash.com]  
Sent: Tuesday, December 01, 2015 6:42 PM  
To: Batka, Allan <batka.allan@epa.gov>  
Subject: MPO Trust Agreement

Allan,

Can you tell me where you see a deviation from the Trust Language in the BOA Trust Agreement that we submitted in our original application dated January 9th, 2015 vs. that in CFR 40 Ch 1 : 144.70?

We have reviewed and can't find any deviation?

I apologize and appreciate your patience.

Sincerely,

Ted Pagano  
General Manager  
Michigan Potash Operating  
970 590 3944